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September 5, 2020

VIA ELECTRONIC COURT FILING

Honorable Judge Ann M. Donnelly
U.S. District Court in the Eastern District of New
York
225 Cadman Plaza East, Rm. 4G
Brooklyn, NY 11201

Re: *Pozniak v. Shwartsman*, Case No. 20-cv-02956-AMD-RML

Dear Judge Donnelly,

Our firm represents petitioner Natalia Pozniak (the “Petitioner”) in the above-named matter. As the court is aware, Petitioner had a court-ordered deadline to submit her Reply in Support of Petition under the Hague Convention for the Return of the Child (the “Reply”) on or before September 4, 2020.

Yesterday evening, we attempted to file the Reply, Petitioner’s supporting declaration (the “Declaration”), and a related Motion for Judicial Notice and Extension of Comity (the “Motion”) with corresponding exhibits through ECF, but were informed by our internal clerks that the system was down for maintenance without notice. We attempted to contact ECF and this Court’s chambers by telephone, but were not able to reach anyone. After informing respondent Vladimir Shwartsman’s counsel of the technical difficulties, we provided him with courtesy copies of the Reply, the Declaration, the Motion, and all related exhibits by email yesterday evening.

We now respectfully request that this Court accept the Reply and supporting papers. We thank the Court for its consideration, and its continued attention to this matter.

Respectfully,

/s/ Robert H. Pees

Robert H. Pees

cc: Marcus A. Nussbaum, Esq.